IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WNS HOLDINGS, LLC and
MARK ALAN EBERWINE,

Plaintiffs,

vs.

NORTHWEST AIRLINES, INC.,

Defendant.

Case No. 08-CV-305

JOINT STIPULATION FOR DISMISSAL AND [PROPOSED] ORDER

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A), the parties to the above-captioned matter, by and through the undersigned counsel, do hereby stipulate as follows:

1. The claims of plaintiff WNS Holdings, LLC ("WNS") pursuant to U.S. Patent No. 5,351,194 (the '194 patent), Count I of Plaintiffs' Amended Complaint, shall be dismissed with prejudice to the extent they relate to claims 1, 6 and 8 of the '194 patent. Defendant's Counterclaims as they relate to claims 1, 6 and 8 of the '194 patent shall be dismissed without prejudice. In the absence of a future assertion of infringement relating to the '194 patent, NWA will not reinitiate such Counterclaims against WNS. In the absence of a future assertion of infringement related to the '194 patent, NWA will not seek a reexamination of such claims before the United States Patent & Trademark Office.

2. WNS's claim with respect to claim 7 of the '194 patent shall be dismissed without prejudice. However, in the event of any future litigation between WNS and Northwest Airlines, Inc. or its parents, subsidiaries, or affiliates

("NWA") relating to the '194 patent and relating to existing components on any existing NWA aircraft, and in the event that NWA (or its parent, subsidiary or affiliate) prevails in any such action and seeks to recover its fees or costs, WNS will not object to any such fees or costs on the grounds that they were incurred in this action, as distinct from the subsequent action. WNS may assert any other appropriate objections and arguments. Defendant's Counterclaims as they relate to claim 7 shall be dismissed without prejudice.

3. The claims of plaintiff Mark Eberwine pursuant to U.S. Patent No. 5,392,052 (the '052 patent), Count II of Plaintiffs' Amended Complaint, shall be dismissed with prejudice. Defendant's Counterclaims as they relate to the '052 patent shall be dismissed without prejudice. In the absence of a future assertion of infringement related to the '052 patent, NWA will not reinitiate such Counterclaims against Mark Eberwine. In the absence of a future assertion of infringement related to the '052 patent, NWA will not seek a reexamination of the '052 patent before the United States Patent & Trademark Office.

DATED: April 3, 2009

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DATED: April 3, 2009

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ATTORNEYS FOR DEFENDANT NORTHWEST AIRLINES, INC.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

BY THE COURT:

DATED: ________________

____
Hon. Barbara B. Crabb
United States District Court Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WNS HOLDINGS, LLC AND MARK ALAN EBERWINE, Plaintiffs, v. NORTHWEST AIRLINES, INC. Defendant.	Case No. 08-CV-00305 **CERTIFICATE OF SERVICE**

I, Brian A. Mayer, hereby certify that on April 3, 2009, I served the following documents:

1 Joint Stipulation for Dismissal; and

2 Certificate of Service,

upon the following counsel for Plaintiffs, via email, at their stated email addresses:

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